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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,943	08/09/2001	Tadao Kanuma	040679-1324	1999
22428	7590	09/08/2004		
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER SINGH, ARTI R	
			ART UNIT 1771	PAPER NUMBER

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/924,943

Applicant(s)

KANUMA, TADAO

Examiner

Ms. Arti Singh

Art Unit

1771

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 17 August 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____.

Claim(s) objected to: _____.


Claim(s) rejected: 1-23.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Ms. Arti Singh
Primary Examiner
Art Unit: 1771

Continuation of 5. does NOT place the application in condition for allowance because: Applicant traverses that the Examiner prematurely and erroneously provided a final rejection in the previous office action, and that the finality of the action should be withdrawn; the Examiner contends that Applicant is the one that amended the claims to provide clarity, which should have been done when at the time of initial filing, the Examiner did not give any 112-2 rejections requiring clarity, and thus the decision to make the final rejection was because Applicant chose to amend the claims. Further, in regards to Applicant's traversal that the second silicone layer is interposed between the first and second portions "at a juncture", is met by the combination rejection because Applicant's claims recite the either side of the first portion may be coated and opposed to the second portion, thus you could have two consecutive layers of the system coating and place it on the seam and it would still read on the current claims. Additionally, it should be noted that once the final product were to be produced a skilled artisan would not be able to differentiate whether one coating or if several were applied to the composite, or whether the coating was a spot coating (in specific areas and not in some) as most airbag coated or not, go through post processing steps which require the composite to pass through heated and pressurized rollers, which if coated would not allow one to know which coating was placed where prior to these post processing steps. In response to Applicant's traversal over the prior art -Kami et al was not relied upon for the coating system it was relied upon for the structure and make up of the airbag and its fabric, Li et al was relied upon for the chemical makeup of the coating system, and thus the deficiencies of Kami et al are met by Li et al and the rejection is proper and maintained.

 9/11/04

Ms. Arti R. Singh
Primary Examiner
Tech Center 1700